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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,327	11/13/2001	Oren Rosenfeld	U 013718-2	1497

7590

05/04/2005

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EXAMINER

KALAFUT, STEPHEN J

ART UNIT

PAPER NUMBER

1745

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/014,327

Applicant(s)

ROSENFELD ET AL.

Examiner

Stephen J. Kalafut

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-224 is/are pending in the application.
- 4a) Of the above claim(s) 1-38, 64-219 and 221-224 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39-47, 52-63 and 220 is/are allowed.
- 6) ☒ Claim(s) 48-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date (2 dates).
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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Claims 1-38, 64-219 and 221-224 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 14 January 2005. Applicant's election listed claim 200 among the group of elected claims, but the restriction requirement listed claim 220 as part of group II, along with claims 39-63.

Claims 48-51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There are no antecedents for "said base" in claim 48 or "said acid" in claim 50. Claims 49 and 51 depend from either claim 48 or 50, and would thus likewise be indefinite.

Claims 39-47, 52-63 and 220 are allowed. The prior art cited either below or by applicant does not disclose a fuel cell with a hydrogen generator, in which the catalyst availability is controllable.

Claims 48-51 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. These claims depend on allowable claim 39.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hashigaya *et al.* (US 2001/0014300) disclose a reformer in which the flows of fuel gas, oxidant, methanol vapor and steam are all controlled. Haga *et al.* (JP 2001-348,203)

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disclose a reformer in which the amounts of catalyst are varied along the length of the reactor.

Aoyama (US 6,290,913) discloses a fuel cell system with a selective oxidizer, where the amount of catalyst is regulated according to the flow of reformed gas. Rosenfeld *et al.* (US 6,770,186) disclose a hydrogen-fueled motor vehicle in which the hydrogen is produced onboard.

The disclosure is objected to because of the following informalities: In figure 1, the numeral 166 is used to denote two different items. In figure 5, the numeral 232 is used to denote two different items. The numeral 400 in figure 11 is not found in the specification. In figure 17A, and on page 28, the numeral 596 is used to denote both a fuel cell and an electrical contact. In figure 18A, and on pages 30 and 31, the numeral 636 is used to denote both an electrode on the hydrogen generator, and an LED. In figure 20A and page 33, the numeral 830 is used to denote both a methanol container and an electrical contact. In figure 20B and on page 34, the numeral 930 is used to denote both a methanol container and an electrical contact. On page 34, line 21, the paragraph ends with a double period. Appropriate correction is required.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Kalafut whose telephone number is 571-272-1286. The examiner can normally be reached on Mon-Fri 8:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sjk



STEPHEN KALAFUT
PRIMARY EXAMINER
GROUP 1700